

# HOUSE . . . . . No. 1245

By Mr. Larkin of Pittsfield, petition of Peter J. Larkin and others relative to establishing the Clara Barton nursing loan repayment program within the Board of Higher Education. Higher Education.

## The Commonwealth of Massachusetts

### PETITION OF:

Peter J. Larkin	Susan C. Tucker
James B. Leary	James R. Miceli
Michael R. Knapik	Stephen M. Brewer
Edward G. Connolly	Steven A. Baddour
Karyn E. Polito	Walter F. Timilty
Richard T. Moore	
Mary E. Grant	

In the Year Two Thousand and Five.

AN ACT ESTABLISHING THE CLARA BARTON NURSING EXCELLENCE PROGRAMS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 15A of the General Laws, as appearing in  
2 the 2000 Official Edition, is hereby amended by inserting after  
3 section 19E, the following sections:—

4 Section 19F. The board of higher education is authorized and  
5 directed to establish a student loan repayment program, to be  
6 known as the Clara Barton Nursing Loan Repayment Program, for  
7 the purpose of encouraging outstanding students to work in the  
8 profession of nursing or to teach nursing within the common-  
9 wealth by providing financial assistance for the repayment of  
10 qualified education loans, as defined herein. The board shall adopt  
11 guidelines governing the implementation of the program, which  
12 shall include, but need not be limited to, the following:

13 (1) eligibility for the program shall be limited to persons who  
14 have graduated in the top twenty-five percent of their practical or

15 diploma nursing program, undergraduate, or graduate class, as  
16 certified by the college, university, or school of nursing attended  
17 by such applicant;

18 (2) eligibility shall be limited to persons licensed to practice  
19 nursing in the commonwealth and entering the nursing profession  
20 after September first, two thousand one, or to persons entering the  
21 teaching of nursing profession at a college, university, or school  
22 of nursing within the commonwealth after such date;

23 (3) the commonwealth shall repay a participants' student loan  
24 at a rate not to exceed two hundred dollars per month for a period  
25 not to exceed forty-eight months. Participants who work less than  
26 full time shall receive loan repayment amounts in direct propor-  
27 tion to the percentage of full time worked;

28 (4) repayment shall be made to the participant annually upon  
29 the presentation by the participant of satisfactory evidence of pay-  
30 ments under the loan;

31 (5) payments by the commonwealth shall cover only loan pay-  
32 ments made by the participants in the months during which the  
33 participant is employed as a nurse in, but not limited to, acute care  
34 hospitals, public health hospitals, psychiatric and mental health  
35 clinics or hospitals, community or neighborhood health centers,  
36 rehabilitation centers, nursing homes, or as a home health, school  
37 or public health nurse in the commonwealth, or is employed to  
38 teach nursing at a college, university, or school of nursing in the  
39 commonwealth. Payments by the commonwealth shall not com-  
40 mence until participants have been employed as nurses in the  
41 commonwealth, or teachers of nursing at a college, university, or  
42 school of nursing in the commonwealth, for a period of one year.  
43 Participants must be employed as nurses in the commonwealth, or  
44 as teachers of nursing at a college, university or school of nursing  
45 in the commonwealth, for a minimum period of four years during  
46 the loan repayment period, or reimburse the commonwealth for  
47 the expense incurred during the repayment period;

48 (6) in the case of those employed as nurses, the board may limit  
49 the program to those who work in communities designated by the  
50 department of public health, in consultation with the federal  
51 department of health and human services and the center for health  
52 professions at Worcester State College, as underserved communi-  
53 ties;

54 (7) the program shall set forth an affirmative action policy and  
55 specific annual affirmative action goals. The board shall annually  
56 publish a report detailing its efforts to publicize the loan repay-  
57 ment program in order to advance the goals of this affirmative  
58 action policy and its success in meeting those goals.

59 The term “qualified education loan” shall mean any indebted-  
60 ness including interest on such indebtedness incurred to pay  
61 tuition or other direct expenses incurred in connection with the  
62 pursuit of a practical or diploma nursing program, an associate’s,  
63 baccalaureate, or graduate degree by an applicant, but shall be  
64 limited to any loan which was or is administered by the financial  
65 aid office of a practical or diploma nursing program, two year or  
66 four year college, university, or school of nursing at which the  
67 applicant was enrolled as a practical or diploma nursing school  
68 student, or as an undergraduate or graduate student, and which  
69 loan has been secured through a state or federal student loan pro-  
70 gram, or which was or is administered by a commercial or institu-  
71 tional lender.

72 Section 19G. The board of higher education is authorized and  
73 directed to establish an expert nursing corps program, to be  
74 known as the Clara Barton Expert Nursing Corps Program, for the  
75 purpose of building a group of recognized nurses of high achieve-  
76 ment in the profession who shall serve to mentor incoming or  
77 novice nurses and to further the goals of the nursing profession.  
78 The board shall adopt guidelines governing the implementation of  
79 the program. Such guidelines shall include, but need not be lim-  
80 ited to, the following provisions:

81 (1) the board may select expert nurses who achieve such status  
82 by obtaining specialty, modular, or advanced practice certification  
83 from the American Nurses Credentialing Center, who remain in  
84 good standing with the board of registration in nursing, who are  
85 current on their continuing education units, and who agree to  
86 mentor incoming or novice nurses. The board may develop and  
87 include alternatives to such American Nurses Credentialing  
88 Center program provided such alternatives maintain equivalent or  
89 higher standards of excellence in the practice of nursing;

90 (2) the board may provide expert nurses with partial or full  
91 reimbursement for the assessment costs of said American Nurses  
92 Credentialing Center certification. The board shall provide expert

93 nurses with ongoing salary bonuses. Such ongoing salary bonuses  
94 shall be limited to \$5,000 per year not to exceed ten years; pro-  
95 vided, that such expert nurses continue to remain in good standing  
96 with the board of registration in nursing and employed in nursing  
97 in the commonwealth, and continue to mentor incoming or novice  
98 nurses. The board may authorize a nominal payment, in addition  
99 to the bonus to the expert nurse, to the health care facility, school  
100 district, local health agency, home health agency, or nursing home  
101 in Massachusetts of such expert nurse to facilitate time for the  
102 expert nurse to engage in mentoring activity; provided further,  
103 that said health care facility, school district, local health agency,  
104 home health agency, or nursing home in Massachusetts shall con-  
105 tinue the expert nurse's salary at a level irrespective of the expert  
106 nurse's salary bonus;

107 (3) the board shall set forth an outreach plan to attract under-  
108 represented populations and nurse specialists in the nursing pro-  
109 fession in areas which are designated by the department of public  
110 health, in consultation with the federal department of health and  
111 human services and the center for health profession at Worcester  
112 State College, as underserved communities.

113 Section 19H. The board of higher education shall make avail-  
114 able grants to institutions of higher education and health care  
115 institutions in the commonwealth for the purpose of fostering  
116 partnerships between higher education institutions and clinical  
117 agencies that promote the recruitment and retention of nurses.  
118 Such grants may also be made available to such institutions for  
119 the purpose of establishing and maintaining nurse mentoring or  
120 nursing internship programs. The board shall adopt guidelines  
121 governing the implementation of this section.

122 Section 15I. The board of higher education is authorized and  
123 directed to establish a scholarship program, to be known as the  
124 Clara Barton Scholarship Program, to provide students in  
125 approved Massachusetts' colleges, universities and schools of  
126 nursing with scholarships for tuition and fees for the purpose of  
127 encouraging outstanding Massachusetts' students to work as  
128 nurses in, but not limited to, acute care hospitals, psychiatric and  
129 mental health clinics or hospitals, community or neighborhood  
130 health centers, rehabilitation centers, nursing homes, or as a home  
131 health, school or public health nurse in the commonwealth, or to

132 teach nursing in colleges, universities, or schools of nursing in the  
133 commonwealth. The board shall adopt guidelines governing the  
134 implementation of the program.

135 Colleges, universities, and schools of nursing in the common-  
136 wealth may administer the Clara Barton Scholarship Program and  
137 select recipients, in accordance with guidelines adopted by the  
138 board. Scholarships may be made available to full or part time  
139 matriculating students in courses of study leading to a degree in  
140 nursing or the teaching of nursing. Recipients shall be residents of  
141 the commonwealth and outstanding prospects based on objective  
142 measures such as leadership skills, clinical knowledge, class rank,  
143 test scores, grade point average, income need and such other cri-  
144 teria as the board may determine. In any given year, the board  
145 may target awards to students from geographic and nurse specialty  
146 areas in the commonwealth determined by the department of  
147 public health, in consultation with the federal department of  
148 health and human services, and the center for health professions at  
149 Worcester State College, to be areas experiencing an acute  
150 shortage of nurses. Scholarship recipients at any public or private  
151 institution of higher education in the commonwealth shall receive  
152 no more than a \$3,500 scholarship for each academic semester  
153 that the recipient remains enrolled at such institution and remains  
154 in good standing. The names of recipients of such scholarships  
155 shall remain confidential, unless the recipient waives such confi-  
156 dentiality in writing.

157 The board may also provide a scholarship recipient with a  
158 housing voucher, in such form and manner as the board may  
159 determine, which shall be equal to not more than two hundred dol-  
160 lars per month, that may be utilized by the recipient to assist in  
161 paying housing costs, including rent or mortgage payments, while  
162 such recipient is enrolled in good standing in the college, univer-  
163 sity, school of nursing.

164 The board, in coordination with the board of education and  
165 Massachusetts' colleges, universities and schools of nursing, shall  
166 aggressively market the existence of the program to high school  
167 students and to non-traditional students to encourage outstanding  
168 candidates to apply to nursing or the teaching of nursing programs  
169 in institutions of higher education in the commonwealth. Such  
170 marketing shall focus on candidates who would otherwise not

171 consider a career in nursing or the teaching of nursing. The board  
172 shall set forth an outreach plan to attract underrepresented popula-  
173 tions to the nursing profession.

174 Recipients must be employed as a nurse in the commonwealth,  
175 or teacher of nursing at a college, university, or school of nursing  
176 in the commonwealth, for a minimum period of two years  
177 following graduation. Recipients who participate in the program  
178 but do not complete their college education within seven years of  
179 entering college, or who fail to complete their two year nursing  
180 commitment within seven years following graduation from col-  
181 lege, or whose license to practice in Massachusetts is not main-  
182 tained in good standing, or those who fail to complete their two  
183 year teaching commitment within seven years following gradua-  
184 tion from college or from a graduate school, if such is required for  
185 teaching nursing at a college, university or school of nursing, shall  
186 be obligated to repay the commonwealth any tuition, fees, and  
187 housing voucher payments advanced to them, with interest set by  
188 the board.

1 SECTION 2. Chapter 10 of the General Laws, as appearing in  
2 the 2000 Official Edition, is hereby amended by adding the  
3 following section:—

4 Section 64. There shall be established and set up on the books  
5 of the commonwealth a separate fund, to be known as the Clara  
6 Barton Nursing Excellence Trust Fund. Said fund shall consist of  
7 all revenues from public and private sources as appropriations,  
8 gifts, grants, donations, and from the federal government as reim-  
9 bursements, grants-in-aid or other receipts to further the purposes  
10 of said fund in accordance with the provisions of sections 19F  
11 through 19I, inclusive, of chapter 15A, and any interest or invest-  
12 ment earnings on such revenues. All revenues credited to said  
13 fund under this section shall remain in said fund and shall be  
14 expended, without further appropriation, for applications pursuant  
15 to sections 19F through 19I, inclusive, of chapter 15A. The state  
16 treasurer shall deposit and invest monies in said fund in accor-  
17 dance with the provisions of sections 34, 34A and 38 of chapter  
18 29 in such a manner as to secure the highest rate of return consis-  
19 tent with the safety of the fund. Said fund shall be expended only  
20 for the purposes stated in said sections 19F through 19I, inclusive,

21 of said chapter 15A, at the direction of the chancellor of the  
22 system of public higher education, hereinafter referred to as the  
23 chancellor. On February 1 of each year, the state treasurer shall  
24 notify the chancellor of any projected interest and investment  
25 earnings available for expenditure from said fund for each fiscal  
26 year.

1 SECTION 3. Notwithstanding the provisions of any general or  
2 special law to the contrary, any state or community college, or the  
3 University of Massachusetts may enter into employment contracts  
4 for a minimum period of five years with faculty members who  
5 teach nursing at such institutions, unless both parties agree to a  
6 shorter term of employment.

1 SECTION 4. The board of higher education shall establish an  
2 advisory committee consisting of seven members whose member-  
3 ship shall be comprised of professionals representing the nursing  
4 profession. At least one half of the membership of the committee  
5 shall be nursing educators from higher education institutions and  
6 the remaining members shall be nurses in practice. The advisory  
7 committee shall advise the board as to the practice of nursing and  
8 how to implement the provisions of this act in a manner that  
9 would best benefit the profession of nursing and fulfill the goals  
10 of recruiting and retaining people to the profession of nursing.